

**United States District Court**

**for the**

## Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Aug 09, 2017

SEAN F. McAVOY, CLERK

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Fernando Magana-Echeverria Case Number: 0980 2:13CR06020-EFS-1

Address of Offender: Kennewick, Washington 99337

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: December 18, 2013

Original Offense: Possession of a Firearm by a Prohibited Person, 18 U.S.C. § 922(g)(1)

Original Sentence:	Prison - 36 months; TSR - 36 months	Type of Supervision:	Supervised Release
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Asst. U.S. Attorney: James P. Hagarty Date Supervision Commenced: October 2, 2015

Defense Attorney: Diane E. Hehir Date Supervision Expires: October 1, 2018

## PETITIONING THE COURT

## To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number	Nature of Noncompliance
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1 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** Fernando Magana-Echeverria is considered to be in violation of his conditions of supervised release by being charged with reckless endangerment 2<sup>nd</sup> degree, in Pasco, Washington, case number 7Z0674468, on May 25, 2017.

On May 25, 2017, Pasco Police were contacted by three minor-aged individuals. The individuals stated they were walking across the street on North 10<sup>th</sup> Avenue and Bonneville Street, when a male driving a red Dodge pickup peeled out through the intersection, hit and killed a dog, and was a few feet away from hitting the reporting party. They were able to show the police officer where the truck was parked, at 1728 West Hopkins Street, which is Mr. Magana-Echeverria's girlfriend's mother's house.

Officers attempted to contact someone at 1728 West Hopkins Street, where the red Dodge pickup was parked. Mr. Magana-Echeverria yelled at the officer through a locked fence on the side of the residence. Mr. Magana-Echeverria was questioned if the red Dodge pickup was his, he responded in the affirmative. He was questioned about the dog he hit with his truck, to which Mr. Magana-Echeverria replied that he did not hit a dog, then grinned and

**Re: Magana-Echeverria, Fernando**

**May 31, 2017**

**Page 2**

said he did not see a dog. The officer requested Mr. Magana-Echeverria's identification, explaining he was conducting a lawful investigation for a complaint of reckless driving. After the explanation, Mr. Magana-Echeverria handed the officer his license over the fence.

At this point, additional officers arrived on scene. Someone from inside the residence where Mr. Magana-Echeverria was at let out an aggressive German Shepard dog into the yard of the residence.

Mr. Magana-Echeverria was contacted at the locked fence and was advised he was under arrest and directed to come out of the back yard. Mr. Magana-Echeverria told the officer that he was not coming out and refused to comply.

Officers informed Mr. Magana-Echeverria that they were going to apply for a search warrant. Approximately 30 minutes after Mr. Magana-Echeverria was advised he was under arrest, he came out of the residence to be arrested.

Officers went to the intersection of North 10<sup>th</sup> and Bonneville Street. The officers noted there were fresh burnout marks all the way across the intersection, approximately 25 feet. Officers also found the dead dog at this intersection. The dog was taken to animal control, and a photograph of the dog was taken for evidence.

Mr. Magana-Echeverria was booked into the Franklin County Jail and cited for the above-mentioned crimes. He bailed out on the same date and is currently pending arraignment in Pasco Municipal Court on June 6, 2017.

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
2	<b><u>Mandatory Condition # 2:</u></b> The defendant shall not commit another Federal, state, or local crime.  <b><u>Supporting Evidence:</u></b> Fernando Magana-Echeverria is considered to be in violation of his conditions of supervised release by being charged with hindering police, in Pasco, Washington, case number 7Z0674468, on May 25, 2017.  Please see the information contained in violation number 1.

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
3	<b><u>Mandatory Condition # 2:</u></b> The defendant shall not commit another Federal, state, or local crime.  <b><u>Supporting Evidence:</u></b> Fernando Magana-Echeverria is considered to be in violation of his conditions of supervised release by being charged with animal cruelty 2 <sup>nd</sup> degree, unnecessary suffering, in Pasco, Washington, case number 7Z0674468, on May 25, 2017.  Please see the information contained in violation number 1.

**Re: Magana-Echeverria, Fernando**

**May 31, 2017**

**Page 3**

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
4	<b><u>Mandatory Condition # 2:</u></b> The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** Fernando Magana-Echeverria is considered to be in violation of his conditions of supervised release by being charged with reckless driving, in Pasco, Washington, case number 7Z0674467, on May 25, 2017.

Please see the information contained in violation number 1.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/31/2017

s/Daniel M. Manning

Daniel M. Manning  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☒ Other - Defendant shall appear before  
Magistrate Judge.



Signature of Judicial Officer

August 9, 2017

Date